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Justine De Caires, Grae Kindel, Alexis Camacho,  
and Jessica Pan, on behalf of themselves  
and all others similarly situated*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

EMMANUEL CORNET, JUSTINE DE  
CAIRES, GRAE KINDEL, ALEXIS  
CAMACHO, AND JESSICA PAN, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

TWITTER, INC.

Defendant.

Case No. 3:22-cv-06857-JD

**PLAINTIFFS' EMERGENCY MOTION  
TO SHORTEN TIME FOR  
DEFENDANT'S RESPONSE**

Hearing:

Date:

Time:

Place:

Judge: Hon. James Donato

ACTION FILED: November 3, 2022

1 Plaintiffs hereby respectfully request, pursuant to Local Rule 6-3 and at the clerk's  
2 direction, that the time for Defendant Twitter, Inc. to respond to Plaintiffs' Emergency Motion  
3 for Protective Order be shortened and that a hearing be set on this motion promptly.

4 As explained in the accompanying Declaration of Shannon Liss-Riordan, Plaintiffs filed  
5 this class action on November 3, 2022. In this case, Plaintiffs challenge the company's breach of  
6 contract with its workforce regarding benefits and severance, assert claims of promissory  
7 estoppel, and challenge the company's violation of the federal Worker Adjustment and  
8 Retraining Notification Act, 29 U.S.C. § 2101 *et seq.* (the "WARN Act"), as well as the  
9 California WARN Act, Cal. Lab. Code § 1400 *et seq.* (First Am. Compl. ¶ 1, Dkt. 6.)

10 Last night, on November 9, 2022, Plaintiffs filed an Emergency Motion for a Protective  
11 Order (Dkt. 7), to prevent Twitter from seeking releases from the employees it is laying off,  
12 without them knowing that these claims have been brought on their behalf. See Liss-Riordan  
13 Decl. ¶ 3, Ex. A. Twitter has informed employees that it will begin distributing severance  
14 agreements this week, in which Twitter will seek a release of claims. See Liss-Riordan Decl. ¶ 5,  
15 Ex. A. As Plaintiffs explained in their motion, Twitter has apparently already begun distributing  
16 separation agreements. See De Caires Decl. ¶ 10, Dkt. 7-2; Pan Decl. ¶ 10, Dkt. 7-3. Employees  
17 have been told that the agreements will be distributed this week and that they may only be given  
18 a few days to consider whether to sign the agreement. See Liss-Riordan Decl. ¶ 6, Ex. A.

19 Plaintiffs ask that the Court shorten the time for Twitter to respond to their Emergency  
20 Motion and set a hearing on the motion promptly, because they are very concerned that  
21 employees may sign away their rights asserted here, without knowing of their rights or that these  
22 claims have been brought on their behalf and that there is an avenue for them to pursue them.  
23 See Liss-Riordan Decl. ¶¶ 4-6, Ex. A. This is not the first time that a company led by Elon Musk  
24 has engaged in this type of deceptive tactic. Earlier this year, another company he owns, Tesla,  
25 engaged in mass layoffs without providing WARN Act notices and quickly sought to obtain  
26 releases of all federal and California WARN Act claims for just one or two weeks of severance  
27  
28

1 pay, despite the fact that the employees had a claim for 60 days pay. See Lynch v. Tesla, Inc.,  
2 2022 WL 4295295, at \*1-4 (W.D. Tex. Sept. 16, 2022). In that case, the court granted a similar  
3 motion for protective order as Plaintiffs seek here, ruling that Tesla’ conduct was “misleading  
4 because [the separation agreements] fail to inform potential class members of this lawsuit and the  
5 rights that they are potentially giving up under the WARN Act.” Id. at \*4.

6  
7 Plaintiffs have served the First Amended Complaint and the Emergency Motion for  
8 Protective Order on Twitter. See Liss-Riordan Decl. ¶ 7, Ex. A.

9 For these reasons, the Court should grant Plaintiffs’ motion and shorten the time for  
10 Twitter to respond, as well as set a hearing on the motion promptly.

11  
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13  
14 Respectfully submitted,

15  
16 EMMANUEL CORNET, JUSTINE DE CAIRES,  
17 GRAE KINDEL, ALEXIS CAMACHO, AND  
18 JESSICA PAN, on behalf of themselves and all  
others similarly situated,

19 By their attorneys,

20 /s/ Shannon Liss-Riordan  
Shannon Liss-Riordan, SBN 310719  
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25  
26 Dated: November 10, 2022  
27  
28

**CERTIFICATE OF SERVICE**

I, Shannon Liss-Riordan, hereby certify that a true and accurate copy of this document will be served on Defendant Twitter, Inc. by process server.

/s/ Shannon Liss-Riordan  
Shannon Liss-Riordan